

United States District Court
Northern District of New York

COPY

UNITED STATES OF AMERICA

against

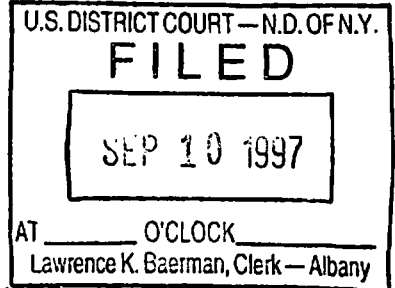
JAGWINDER GURDEV SINGH and
HARDEEP S. GREWAL,

Defendant.

Case Number: 96M 195

Location: Rouses Point

Date: April 26, 1996



BEFORE THE HONORABLE HENRY VAN ACKER, JR.
UNITED STATES MAGISTRATE JUDGE

This proceeding was recorded via electronic sound recording and this transcript
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1 THE COURT: This is the matter of the U.S.
2 versus -- and I'll spell the names J-A-G-W-I-N-D-E-
3 R G-U-R-D-E-V S-I-N-G-H AND H-A-R-D-E-E-P G-R-E-W-
4 A-L. It's April 26, 1996 at approximately 3:00
5 p.m. Do you swear that the contents of these
6 complaints are true to the best of your knowledge?

7 THE DEFENDANT: Yes.

8 THE COURT: Will you both be able to understand
9 my English all right?

10 THE DEFENDANT: Sir, I don't much understand.

11 THE COURT: You've both been arrested for
12 violating the law of the United States. I'm a
13 Judge in the United States. I'll tell you why you
14 were arrested and what your rights are. I'm not a
15 Judge for the Immigration.

16 These are copies of the reasons why you were
17 arrested. Mr. Singh was arrested for trying to
18 come into the United States by using some one
19 else's papers today.

20 Mr. Grewal you are accused of trying to help
21 him to do that. Your rights are that you don't
22 have to say anything. If you do it can be used
23 against you.

24 You can hire a lawyer if you want to. If you

1 don't have the money to pay for a lawyer the Court
2 will give you a lawyer. And you can have the
3 lawyer all the time during your case and before you
4 answer any questions. You don't have to have the
5 case decided here. It can be decided in a higher
6 court. The maximum Mr. Singh could receive for
7 being found guilty of this is six months in jail
8 and a fine of \$5,000 or both of those together.
9 However, the lawyer for the Government says that if
10 he pleads guilty today he will be fined \$250 and he
11 would not have to go to jail. But he doesn't have
12 to say he's guilty if he doesn't want to. He can
13 say that he is not guilty and have a lawyer and a
14 trial. Now, does he understand all of that?

15 THE INTREPETER: Yes, sir.

16 THE COURT: Does he understand why he was
17 arrested?

18 THE INTREPRETER: Yes, sir.

19 THE COURT: Are you going to say that you're
20 guilty or not guilty?

21 THE DEFENDANT: Guilty.

22 THE COURT: All right. Have you read this
23 form? Do you understand what that says?

24 THE DEFENDANT: Yes.

1 THE COURT: It says that he understands what
2 his rights are and you can have him sign it in
3 three places where the X's are.

4 Mr. Grewal your rights are just about the
5 same. You can have a lawyer if you want to. If
6 you want a lawyer and you don't have the money to
7 pay for one the Court will give you a lawyer for
8 free and you have the right to have the lawyer at
9 all times during your case including before you
10 answer any questions. You don't have to have your
11 case decided here it can be decided at a higher
12 court. The maximum that you could receive is a
13 maximum of a year in jail and a fine of \$100,000 or
14 both of those together. But, the lawyer for the
15 Government recommends that if you say that you are
16 guilty you will be fined \$450 also and you will not
17 have to go to jail.

18 THE DEFENDANT: Okay.

19 THE COURT: You also would have the right to a
20 preliminary hearing or a trial and you have a right
21 to a trial with a jury.

22 THE DEFENDANT: Okay.

23 THE COURT: And the case would be postponed so
24 that you would have time to talk to a lawyer.

1 THE DEFENDANT: Okay.

2 THE COURT: Those are your rights, do you
3 understand all of that?

4 THE DEFENDANT: I do understand.

5 THE COURT: Do you have any questions?

6 THE DEFENDANT: No, I don't.

7 THE COURT: Okay. Are you going to say that
8 you are guilty or not guilty?

9 THE DEFENDANT: Guilty.

10 THE COURT: I'm going to have you sign that
11 form saying that you understand what your rights
12 are and that you are going ahead without a lawyer.

13 Has anybody tried to force you to say that you
14 are guilty?

15 THE DEFENDANT: No.

16 THE COURT: Do you understand why you were
17 arrested?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Do you plead guilty to that?

20 THE DEFENDANT: Yes.

21 THE COURT: Is there anything else you want to
22 say?

23 THE DEFENDANT: No.

24 THE COURT: So your fine is \$250 and you do not

1 have a jail sentence and you pay the fine now,
2 okay?

3 THE DEFENDANT: Yes.

4 THE COURT: Okay.

5 THE DEFENDANT: Thank you, sir.

6 (Whereupon the matter was concluded.)

1

CERTIFICATION

2

I, Michele Hasso, a transcriptionist, do hereby certify that this

3

transcript is a true and accurate transcript transcribed from the electronic

4

tape recording, to the best of my ability and belief.

5

Michele N. Hasso

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Michele N. Hasso

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Dated: September 4, 1997